IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

Bail Appl..No. 2075 of 2007()

CRIME NO. 127 OF 2007 OF ANCHALAMMOODU POLICE STATION

PETITIONER/ACCUSED

SAJEEV, AGED 22 YEARS,
S/O.SASI, DHANNOOR VADAKKATHIL,
KUREEPUZHA CHERRY, SAKTHIKULANGARA VILLAGE,
KOLLAM.

BY ADV. SRI.C.RAJENDRAN

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
SUB INSPECTOR OF POLICE, ANCHALUMMOODU POLICE
STATION THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 2075 OF 2007

DATED: 10-04-2007

O R D E R

Petitioner who is the accused in Crime No. 127 of 2007 of Anchalammoodu Police Station for offences punishable under Sections 326 and 294 (b) I.P.C. seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that in the evening of 22-3-2007, while the de facto complainant was engaged in the unloading of iron bars, he requested the petitioner who was the driver of the goods autorickshaw to lend a helping hand to him. Infuriated by the said request, the petitioner is alleged to have beaten him up with a piece of iron bar asking as to how dare he asked him to unload the iron bars. The de facto complainant sustained injuries including fracture of left ulna.

4. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within two weeks from today, the same

shall be considered and disposed of preferably on the same date on which it is filed bearing in mind the fact that in appropriate case, the Magistrate is competent to grant bail

With the above observation this application is dismissed.

V.RAMKUMAR, JUDGE.

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